



Planning Commission Meeting Minutes

DATE: June 8, 2011

APPROVED
BY:

A handwritten signature in blue ink, appearing to be "JWB", is written over a light gray rectangular background.

MINUTES OF THE LAKE COUNTY PLANNING COMMISSION May 31, 2011

The Lake County Planning Commission hereby finds and determines that all formal actions were taken in an open meeting of this Planning Commission and that all the deliberations of the Planning Commission and its committees, if any, which resulted in formal actions, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Vice Chair Hausch called the meeting to order at 5:06 p.m.

ROLL CALL

The following members were present: Messrs. Adams, Morse, Pegoraro (alt for Troy), Schaedlich, Welch (alt. for Aufuldish), and Mmes. Hausch. Staff present: Messrs. Boyd, Radachy, and Ms. Truesdell.

Vice Chair Hausch turned the meeting over to Chair Pesec upon her arrival at 5:09 p.m. after announcements.

MINUTES

The April 26, 2011 meeting was cancelled.

Mr. Schaedlich moved to approve the March 22, 2011 minutes as submitted and Mr. Welch seconded the motion.

Five voted "Aye".
One abstained.

FINANCIAL REPORT

March 2011 Financial Report

Mr. Morse moved to accept the March 2011 Financial Report. Mr. Brotzman seconded the motion.

All voted "Aye".

April 2011 Financial Report

Mr. Morse moved to accept the April 2011 Financial Report. Mr. Schaedlich seconded the motion.

All voted "Aye".

PUBLIC COMMENT

There was no public comment.

LEGAL REPORT

Assistant Prosecutor, Benjamin Neylon, stated there was no legal report at this time.

DIRECTOR'S REPORT

Mr. Boyd reported that Mr. Radachy continues consulting with Fairport Harbor on zoning items and has done a lot of work on the "Eastern Lake County Coastal Tributaries Balanced Growth Plan", which will continue to consume the majority of the technical staff's time for the next few months. Staff is working on registrations and project planning for the Northeast Ohio Planning and Zoning Workshop that is scheduled for June 24th at the Geneva Lodge, and continues the CDBG and NSP activities that have been transferred to our office.

ANNOUNCEMENTS

Mr. Radachy announced the annual Northeast Ohio Planning and Zoning Workshop will be held on June 24, 2011 from 8:00 a.m. to 3:30 p.m. at the Conference Center at Geneva State Park in Geneva-on-the-Lake. Medina County Commissioner, Mr. Stephen Hambley, will be the Keynote Speaker addressing the future of Northeast Ohio Sustainable Communities Initiative.

SUBDIVISION REVIEW

Concord Township – Cali Woods No. 2, Lot Split Plat, S/L 42

Mr. Radachy introduced the lot split plat of subplot 42 in Cali Woods No. 2 subdivision. The subdivision is located in Concord Township on Cali Drive near the Nancy Ann Drive intersection and consists of 2.08 acres. The developers are Thomas and Deborah Schneider and Land Design is the engineer. This plat was recorded in 1997 and the owners are requesting it to be divided into two one-acre lots, which is the minimum lot size in the R-4 District. Currently, there is a septic system and a house on the property. Since 1997, they have installed sanitary sewer.

Below are the comments and stipulations for this lot split plat:

PROPOSED STAFF STIPULATIONS:

1. Name of the Subdivision shall be provided. *Article III, Section 10(E)(4)(a)(i)*
2. New subplot numbers shall be provided. Sublot 42B would be acceptable instead of 42R. *Article III, Section 10 (E)(4)(b)(v)*
3. Acknowledgement is needed from the property owners that they are dedicating two new sublots. *Article III, Section 10(E)(4)(a)(vi)*
4. Add signature lines for Planning Commission Secretary, County Engineer and Township Trustees. *Article III, Section 10(E)(4)(a)(iii)*
5. Remove the house from the plat. *L.C. Planning Commission*
6. The acreage shown on subplot 42A needs to be corrected from 43.560 square feet to 43,560 square feet. *L.C. Planning Commission*

STIPULATIONS FROM OTHER AGENCIES COMMENTS:

1. The property owner will be required to connect the existing house to the sanitary sewer prior to approval of the lot split plat. *L.C. Planning Commission*
 - a. The Health District records for the property at 11905 Cali Court indicate that it is very likely that the sewage treatment system existing at this address is located in such a fashion that the property line for the proposed lot split will cross through a portion of the system. There would be insufficient space on the newly created lot to relocate the sewage treatment and preserve an area for replacing the sewage system. Due to these facts, the Health District recommends that the property be connected to the sanitary sewer and the septic system properly abandoned prior to the approval of the lot split. *L.C. General Health District*
2. All phases and detailed construction plans shall be subject to the Lake County Department of Utilities approval process. *L.C. Utilities Sanitary Engineer*

COMMENTS:

1. No deficiencies noted. No concerns with this request. *Concord Twp. Trustees*
2. None. *LCSWCD*

3. OK. *L.C. Engineer*

The General Health Department submitted a stipulation that a portion of the existing sewage treatment system would be split down the middle by this division and should be abandoned. The split properties must be connected to the available sanitary sewer.

Staff suggested new subplot numbers should be assigned as sublots 42A and 42B, the house be taken off the plat, and the square footage of 43.560 should be changed to 43,560 square feet on subplot 42A.

Staff recommended approve of this lot split plat with the eight stipulations listed above. There is paperwork in tonight's handout from the Department of Utilities stating the split is acceptable with sanitary sewer and that they can connect into the sanitary line.

Mr. Schaedlich moved to approve the Cali Woods No. 2 lot split plat of subplot 42 with the eight submitted stipulations. Ms. Hausch seconded the motion.

Seven voted "Aye".
Mr. Pegoraro abstained.

Concord Township – Summerwood, Phases 3 & 4, Final Plat Approval Extension

Mr. Radachy explained that the Summerwood subdivisions are located in Concord Township and owned by Thomas and Doreen Riebe as the Trustees of the Riebe Living Trust. The final plats for Summerwood, Phases 3 and 4 were approved on August 26, 2008 and the Commission has already granted both phases a one-year final plat extension. This is the second extension for both phases because of the economic climate.

The following are identical comments received for both phases 3 and 4 of the Summerwood subdivision:

COMMENTS FROM REVIEWING AGENCIES:

1. New plans and plat shall conform to most current rules and regulations. *L.C. Engineer*
2. All phases and detailed construction plans shall be subject to the Lake County Department of Utilities approval process. *Utilities*
3. Defer to the Planning Commission. *Concord Twp. Trustees*
4. None. *LCSWCD*

OTHER COMMENTS:

1. This subdivision's final plat received extensions in 2010.
2. If the final plat approval is not extended, the developer will be required to resubmit the final plat with an application and fee of \$1,000.00. If the resubmitted final plat is approved, the approval will be in place for two years.
3. The expiration date for this preliminary plan is August 31, 2011.
4. The Lake County Subdivision Regulations were revised. The current set of regulations went into effect on March 31, 2009. Regardless if the extension is granted or not granted, this plan would be subject to the current regulations.

Staff recommended granting second extensions to the final plats of Summerwood, Phases 3 and 4. The Commission has already granted extensions for two one- year periods in the past and has indicated that three extensions should be the cut off point. There is no guidance in the Subdivision Regulations on the maximum number of extensions allowed and this is one of the items that the Board has requested the staff change. Staff has a white paper recommending a maximum of two one-year extensions in the future to stay consistent with the intentions of the Commission.

Mr. Pegoraro stated he believed there was no problem with granting more extensions during this unusual economic period we are in now. It makes sense to allow a local business to extend their approvals. There are no buyers now.

Mr. Schaedlich moved to approve the extensions for an additional twelve-month period for the final plats of Summerwood, Phases 3 and 4. Mr. Morse seconded the motion.

Six voted "Aye".
One voted "Nay".

Concord Township – Crossroads at Summerwood, Preliminary Plan Approval Extension

Mr. Radachy explained that this was the fourth preliminary extension request for the Crossroads at Summerwood subdivision in Concord Township owned by Thomas and Doreen Riebe as the Trustees of the Riebe Living Trust. It is zoned R-4. It has been six years since the preliminary plan approval was given by this Board. The preliminary plan for this subdivision, a.k.a. Summerwood V, was approved in March 2005 and the first phase was approved in June 2005. Article III, Section 3G requires a final plat to be filed within three years of the preliminary plan being approved.

The following comments were submitted for the Crossroads of Summerwood preliminary plan extension request:

COMMENTS FROM REVIEWING AGENCIES:

1. New plans and plat shall conform to most current rules and regulations. *L.C. Engineer*
2. All phases and detailed construction plans shall be subject to the Lake County Department of Utilities approval process. *Utilities*
3. Do not recommend approval since they have already received 3 years worth of extensions. *Concord Twp. Trustees*
4. None. *LCSWCD*

OTHER COMMENTS:

1. This subdivision's preliminary plan received extensions in 2008, 2009 and 2010.
2. If the preliminary plan approval is not extended, the developer will be required to resubmit the preliminary plan with an application and fee of \$600.00. If the resubmitted preliminary is approved, the approval will be in place for three years.
3. The expiration date for this preliminary plan is June 30, 2011. The developer still has a month to submit a final plat.
4. The Lake County Subdivision Regulations were revised. The current set of regulations went into effect on March 31, 2009. Regardless if the extension is granted or not granted, this plan would be subject to the current regulations.

Staff recommended not allowing another extension on this preliminary plan. Mr. Radachy stated that it would cost them \$600.00 when things start to pick up again or they could file a one-lot subdivision and have two years to get that lot dedicated. The lot sizes may not be enforceable if we continue to keep granting extensions.

Mr. Adams asked if we had published or apprised people of our policy with renewing these extensions. Mr. Boyd said about a year ago with this same applicant, the Board chatted at length about setting a maximum of two one-year extensions. The minutes were reviewed from last year to see if we had come to a definite conclusion, but Mr. Condon had said in the past that, at this point, consistency would be the issue. It was decided then that the Commission would grant a maximum of only a one-year request and a maximum of two attempts on a final plat. The preliminary dialogue was a little different. This one has been around for six years. This would ultimately be a policy decision that the Board would have to make.

Mr. Adams said he thought we should be consistent with the final and the preliminary; we should let people know and start enforcing it now. Mr. Boyd said Mr. Riebe was aware of this because he stopped in a couple weeks ago and was involved last year. Mr. Boyd said we

have taken the approach of notifying the developers when their approvals are lapsing. We cannot deny someone putting something before the Board. We would have to entertain the request.

Mr. Schaedlich said there is really no end in sight with the economy and this is only a preliminary.

Mr. Brotzman asked if Mr. Boyd thought Mr. Condon's point was for precedence setting. Mr. Boyd thought from the few times Mr. Condon spoke at the meetings, it was for precedence in what we would set. Mr. Radachy added that Mr. Condon was stating that we need to treat everyone the same. Mr. Schadelich said this was to show no favoritism.

Mr Radachy commented that the Commission had denied extension requests on final plats after two one-year period requests. We did not add the expiration of preliminary plans into the Regulations until 2005. This is one of the few preliminaries on the books that were approved with an expiration date. There may have been five or six others since 2005.

Mr. Adams asked if this was written into the Regulations and Mr. Boyd said the cap has not been written in yet. This process was started about eight or nine months ago. Mr. Adams suggested this be done as soon as possible. Ms. Pesec stated there were a number of other issues to be changed or added to the Regulations that, per staff, were pretty much ready other than the format. The public hearing process would need to be started.

Ms. Pesec requested staff to bring the Subdivision Regulation report back at next month's meeting and to send it out in advance so the members could read it ahead of time and have their comments ready.

Mr. Schaedlich moved to approve the Crossroads at Summerwood preliminary plan extension request. Mr. Pegoraro seconded the motion.

One voted "Aye".
Six voted "Nay".

Subdivision Activity Report

Mr. Radachy reported on the following subdivision activity since the last meeting:

- Maplevue Subdivision in Painesville Township has a new owner, First Federal Bank of Lakewood. This is the same bank that owns the Cambden Subdivision. Century Bank merged with First Federal of Lakewood.
- The owner of Nature Preserve North, Phase 4 still has not decided if he is going forward with the ten sublots on Butterfly Road or reducing it down. It is currently a tabled subdivision. This is a very topographically challenged site.

- Mountainside Farms, Phase 3C and Lake Erie Shores, Phase 5 have been recorded.
- Mr. Radachy was told that Kimball Estates, Phase 1 has been too wet to make the corrections that have been required of the developer according to the County Engineer.

Mr. Brotzman questioned the status on having the problems fixed in Kimball Estates since it has been six years since the County Engineer's office told Mr Hamilton to fix his drainage problem. He said it was extraordinary that when someone was put on notice by a County entity, something could go this long without being fixed. Mr. Boyd said that the County Engineer is the person who needs to ask the Prosecutor to begin the process to go after the bond. The staff has pursued this through the County Engineer's office and the Prosecutor's office to no avail. There is a question as to whether the problem was caused by the approval of a poor plan or poor installation of the plan.

Ms. Pesec questioned the possibility of adding or changing something in the Subdivision Regulations to keep this from happening again in the future. Mr. Boyd said the Regulations currently have the procedures to attempt to recapture some of the bond, but until whatever facet of that plan found to be flawed is duly noted by an approving agency, we cannot kick in our rules. It was made clear in conversations with an Assistant Prosecutor that we needed something from the Engineer, spelled out in memorandum bullet-point format, to request them to proceed with recapturing the bond.

LAND USE AND ZONING REVIEW

Painesville Township - Text Amendment to Section V – Definitions

Mr. Radachy said there were two cases submitted and we received a letter from Painesville Township requesting to remove them from our agenda. The second case was from Concord Township.

Concord Township – Text Amendments to Sections V, Definitions; XIII, Conditional Use; XXII, Commercial and Industrial District and XXIII, Sexually Oriented Business Regulations

Mr. Radachy said Concord Township was changing Sexually Oriented Businesses in B1 and B2 to remove it as a conditional use in B1 and B2 and making it a permitted use in B2 only. It is a first amendment issue. They were adding regulations for buffering from church and schools, etc. They are removing all the definitions from their Section V and adding definitions closer to the model the Attorney General set. They are also adding licensing.

The Land Use and Zoning Committee recommended that the definitions from the model regulations that are in Section XXIII be added to Section V. Sections 23.01 to 23.13 and 23.15 should be adopted as a separate resolution by the Concord Township Trustees and not as part of the zoning resolution and, Section 23.14 could either stay as separate Section XXIII

or it could be added to Section XXII. If it stays as Section XXIII, it will need a purpose statement.

Mr. Pegoraro showed concern about requirements from the Health District for licensing, inspections, etc. on the Sexually Oriented Business. He stated that all the licensing would be in the stand alone and not in the zoning and Mr. Radachy agreed.

Mr. Neylon stated the stand alone resolution similar to this in Leroy Township is going to address things like the Fire Chief doing inspections and references a member of the Township to make sure those employees are licensed and that the business as a whole is licensed. He indicated they should probably try to stick as close to the model stand alone resolution as possible. It will make getting assistance from the Attorney General's office easier as long as it is pretty close to the model one. The Attorney General wants it uniform so they know what they are doing every time they need to represent a township. The model resolution is definitely set up to be a stand alone. The zoning aspect to be considered by the township should deal with how far it should be from a church or a school. Although they both apply to that business, they are not the same.

Mr. Schaedlich questioned the use of the word "morals". General welfare has been used because "morals" is so hard to define. Mr. Radachy said this was taken verbatim from the model text. They appear to be following the Attorney General's language.

Mr. Schaedlich moved to recommend approval to change the Sexually Oriented Businesses from the zoning text to a stand alone resolution along with the changes recommended by the Land Use and Zoning Committee for the other submitted sections. Mr. Pegoraro seconded the motion.

Mr. Morse corrected the vote as written in the Land Use and Zoning Committee minutes by stating there were two votes against changing SOB from a conditional zoning to a permitted use.

Five voted "Aye".
Two voted opposed.

REPORTS OF SPECIAL COMMITTEES

See the Land Use and Zoning Committee reported under correspondence.

CORRESPONDENCE

Painesville Township – Letter of Resignation of Current LUZ Member and Letter of Consideration of Replacement of LUZ Member

Mr. Radachy stated that the office received a letter of resignation from the Land Use and Zoning Committee from Mr. Lee Bodnar on April 5, 2011, which was accepted by the Planning Commission Chair. Mr. Bodnar was currently Chair of the Committee. A letter from the Painesville Township trustees is also included asking for our consideration of Mr. Richard L. Constantine, Painesville Township Zoning Inspector, as Mr. Bodnar's replacement on the Committee.

The Land Use and Zoning Committee elected Mr. Mark Welch as the new Chair and Mr. Jerry Klco as the new Vice Chair. According to the rules of the Committee, the Vice Chair did not automatically become the Chair.

According to the Bylaws, the Planning Commission Chair may appoint Mr. Constantine as a new member of the Land Use and Zoning Committee. Along with other changes needed to the Bylaws as we modify into the newly merged department, Ms. Pesec would like to ask the Board to entertain the idea of changing the procedure of appointing a new person to the Land Use and Zoning Committee. She would like to have the appointment be approved by the Commission as opposed to just the Chair having that authority. She asked if there were any concerns by any members and Mr. Schaedlich commented that he did not know him well, but he appears to be doing well in his current position. Ms. Pesec said she will sign Mr. Constantine's letter of appointment.

Mr. Welch left at 5:47 p.m.

OLD BUSINESS

Bylaw Changes

Ms. Pesec stated that the Planning Commission Bylaws will need to be changed when the transition of the office has been finalized.

NEW BUSINESS

Consolidation Planning

Mr. Boyd addressed the members on the office transition stating he met with the Lake County Commissioners throughout the last year on this process and, ultimately, they wanted to give the Planning Commission a little more elbow room as compared to what we did in the past as far as zoning and subdivisions and get more into a community development type of arena. Obviously, one of the new responsibilities is the Community Development Block Grants (CDBG), a Neighborhood Stabilization Program (NSP) and Energy Efficiency Projects that are all starting to funnel our way. What the Commissioners want to do is rename the office under the title of "Lake County Office of Planning and Community Development". The Planning Commission itself would remain the same and continue to do the business that the Ohio Revised Code dictates that we do.

The primary difference, at this point, is that the employees would report directly to the Board of County Commissioners as opposed to the members of this Commission. One of the reasons behind that is because of the large amount of Federal money received through the CDBG and the NSP programs that is directed to the County Commissioners. Since we will be handling those dollars on their behalf, there was kind of a grey area as to whether the Planning Commission had any authority on these grants. On the plus side, there are administrative dollars that helped staff this past year with the budget constraints that are there.

Memorandum of Understanding (MOU)

As Mr. Boyd learned more of what the Commissioners wanted to do, he called Chair Pesec, brought her up to date, and met with her about the role of staff versus the Planning Commission Board. The daily operation and appearance of the Planning Commission will not change. Mr. Boyd suggested that the Commission and the Board of County Commissioners may want to consider a memorandum of understanding (MOU) stating that staffing will still be provided, as well as office space for zoning review, land use review, comprehensive planning, and other services that have been provided normally in the past and by law would still need to be provided by the Commissioners to the Commission. Ms. Pesec, Ms. Nocero, Assistant Prosecutor, and the County Commissioners all think it is a good idea so everyone will be on the same page. He had been asked to meet with the Chair by the County Commissioners about a MOU. How we proceed from here is up to the Chair and this Commission as far as proceeding with this MOU.

Mr. Boyd thought the Commissioners would like to move through the summer in this exploratory phase and finalize this in the next couple months. He informed the members that even the miscellaneous items in the office, i.e., letterhead, business cards are on hold until this is decided. We need to finalize the direction we are going to take.

The Director said it was his hope that this would provide some ease that the working relationship was still there. If the MOU is not the favorite action, he'll take that back to the Commissioners. What he did not want to do is go back with nothing because he felt that would not be in anyone's best interest.

Concerns brought up about a memorandum of understanding (MOU) with the Board of Lake County Commissioners were:

- Because the amount of Federal money the office will be working with is more than the Planning Commission's budget, he was concerned that the staff will get more involved with the community development side and our current planning and zoning functions may become an ancillary.

- What will happen to the staff if the Federal money for the CDBG/HOME/NSP programs dry up? Will the planning and zoning functions and statutory concerns be able to be handled by staff properly?
- What happens when we have subdivision reviews and two new special committees and things are really picking up? Are we going to have enough staff to do that?
- We had an issue that we wanted to work on with the Landscape Committee and have not had staff availability for six months to make that Committee go forth.
- Will there be enough staffing time to ensure they will be able to perform the necessary planning and zoning functions needed by the townships and other contracted communities, such as comprehensive planning and zoning assistance contracts?
- Make sure the staff has the time to make those things like the BGI grant happen so that revenue can be produced from the Planning side.
- Identify possible conflicts of interest early and make sure they are smoothed into a transition phase and have procedures in place to avoid anticipated problems.
- Look at adding something into the MOU that would give the Commission some say in the hiring of a future Director. There were some members who were afraid of politics getting involved in the hiring of the Director and staff in the future.
- Possible time limitations on the MOU.

Ms. Pesec said she thought a part of what was needed was to figure out a way to make sure that the township planning that needs to happen will happen and subdivision review will happen. We need to make sure that these things were put in place in a MOU.

Mr. Adams was concerned that because the amount of Federal money the office will be working with is more than the Planning Commission's budget, the staff will get more involved with the community development side and our current planning and zoning functions may become an ancillary function. The Commissioners may take more money out of the Planning Commission budget because of County economic problems and, if funding at the Federal level gets cut, what would happen to the staff?

Mr. Pegoraro said this might be the opportunity to look at our fee schedule. Maybe there is more dollars that should be contributed from the developers' standpoint to subsidize the department. If we are providing a service, they should pay for that service. If we are looking at potentially losing funds and losing staff because of this, he thought it was obvious that we have to look at our costs to subsidize the employees and staff.

Mr. Schaedlich suggested that this is a good time to do the transition right now because we really are not as busy as we normally had been. Once this becomes acclimated, things should run a lot more smoothly and potentially not have to spend as much time.

Mr. Morse asked if there were still some funds left from the \$100,000 BGI grant. Mr. Boyd said \$20,000 to \$30,000 is still expected this year from that project. This goes directly into the general fund, but it helps tremendously.

Could the Commissioners do away with the Planning Commission and the staff? Mr. Boyd said not necessarily. They already established the Commission but, technically, they do not have to have a staff.

Ms. Pesec stated that you need to have the time to make these types of things happen. She further stated that if the Director is spending 80% to 90% on CDBG, he will not be able to work on other planning issues in the future. We need to make sure the staff has the time to make those things happen so that they can produce revenue from the planning side. One of the big concerns that need to be worked out as we move forward is potential conflicts of interest. We need to ensure that we have everything in place. Who is sitting on this board, when you have to abstain, when you do not, i.e., Fairport Harbor paid for an comprehensive plan or extra study and we give CDBG funds to Fairport Harbor and not to Wickliffe. There is a myriad of things on potential conflicts of interest. These things need to be looked at carefully and identified up front to find ways to make sure we are doing the right things at the right time.

It was the consensus of the members to set up a committee to pursue the issues to be entered in the MOU. These issues will then be brought before the Planning Commission at the June 28th meeting, discussed and voted upon.

Mr. Benjamin Neylon, Assistant Prosecutor, stated the people on this Commission will have a chance to look at the MOU, and maybe make some alterations to it. Maybe make it finite, maybe make it renewable, and maybe give yourselves the options to make some changes. These are just some ideas. You would just have to craft it in such a way that you are comfortable or at least put little changes into it like you would like it to only be a five year thing with five-year renewals with the ability to make changes each five-year period. I'm not saying it is possible, but something like that may give yourselves the ability to stay somewhat separate or at least keep a portion of the agency separate depending on how it was crafted.

Mr. Boyd asked for a bullet-point list of suggested items that the Board wanted to maintain through the MOU so they could sit down with whoever the Commissioners wanted to craft this and present them at that time.

Mr. Neylon asked if, when Mr. Boyd talked to Commissioners, did they actually say they wanted to hire the Director or would they be willing to let the Commission hire just the Director and they would hire the other staff. Mr. Boyd said they had not gotten to that point

yet. We have chatted about the concept, but that is where we need to go. He asked the members to be on the proactive side, which would help us all in the long run.

Mr. Boyd was asked how soon the Commissioners wanted the MOU. He was not sure of their timeline, but he personally wanted to move on this because the staff needs to have this formalized, get an identity and go forward. BGI is moving along and we have some good things going now and he would like to capitalize on them.

Mr. Brotzman was concerned about the 80/20% of the Director's time and suggested setting up a 60/40% time division in the MOU. He asked Mr. Boyd's opinion.

Mr. Boyd stated that if he had a solid year under his belt on the CDBG time study, he could give him an answer on that, but right now the 80/20% is pretty fair.

Mr. Neylon said if their fears come to light and they keep dwindling planning and everything the Director is doing is almost all Federal money in some way, shape or form, he may have to perform that much work. It would be tough to put an artificial number on his work.

Mr. Boyd explained that the staff keeps a detailed daily log on what they do in an eight-hour day. In answer to the concerns about my commitments right now, it is solidly 80%. But, if you were to ask me that question in eight months, I would potentially say it is going to be reduced by 10% to 20%.

Mr. Brotzman stated if the Commissioners took away the amount of your salary that they are currently paying for planning, you would not be able to work with the Planning Commission at all. Mr. Boyd said if they choose to fund me in 100% outside of the general revenue fund, I would have to show, in the event of a Federal audit, that I worked forty hours per week on Federal programs.

Mr. Adams asked where Mr. Radachy was in all this? Mr. Boyd said they were billing about 20% to 25% of his time. It comes in waves. Two weeks ago, he was doing all kinds of mapping for me. A month ago, Ann probably worked a whole week when we were doing agreements. It is averaging 20-30% of Ann's time on the administrative side. We are working with about 25 different agencies from housing entities to a multitude of nonprofits. When someone requests payment, Elaine checks that the submission is accurate.

Mr. Boyd stated that CDBG has broadened our scope a lot, but he did not know if he wanted to tie himself to a time commitment number at this point in the MOU.

Mr. Brotzman said they hated to see them take away all the funds to support the Director from doing planning commission work. We need some sort of statement saying that we are to preserve the Director, at least in some capacity in planning.

Mr. Adams agreed to setting up a committee of three or four people to get together and put the MOU together and run it by Jason before it is finalized.

Mr. Boyd said he is happy to do whatever this Board wants to do. He is just trying to move the football down the football field. They have not given him any indication that they want to do that. But, the way the economy is, he sees that the Commissioners are trying to reshape the way of County Government for the good and he thinks we are a positive attribute in that. He wants to be in the game and not on the sidelines when this happens.

Mr. Radachy stated that at the back of your package every month, there is the staff activities report. If his time was added for the month of March, 64% is still traditional planning commission activities. Because Jason is doing 80% of the CDBG stuff, a lot more of what he used to do has fallen to me and so he is picking up the slack on that.

Ms. Pesec said that you would also have the Mentor contract and be bringing in some revenue along with other contracts. That is the part that is frustrating to her. The Director cannot be proactive on the planning side when the majority of his time is involved in CDBG. So, we will put together a committee to brainstorm about the points that we want to include in a memorandum of understanding. Mr. Schaedlich added that it should be reviewed by the whole Commission because it may trigger some thoughts that might be missed by the committee.

Mr. Boyd asked if he could give the County Commissioners a timeline of about three weeks or mid-to-late June. By September, he would like to have something definite to present. It was decided that the first thing would be to pick members of the committee and the date of the committee meeting so he can tell the Commissioners a date when they will have the ideas.

Ms. Pesec said the committee will need a full meeting before they would be ready to give anything to the Commissioners so everyone will have a say. The committee will meet and present their points of concerns to be entered into the MOU at the next meeting. Mr. Neylon was asked if it would be alright to pursue it this way so long as the committee meets prior to the board meeting and they submit something to the full board for consideration and if this would be executive material. He answered in the affirmative.

Mr. Adams, and Ms. Pesec volunteered to be on the MOU Committee. Mr. Zondag was suggested but was not present to accept. Ms. Pesec will call Mr. Zondag. Ms. Hausch volunteered. Ms. Pesec said she was more than welcome. A date will be set for the Committee meeting after this meeting is adjourned.

Mr. Adams asked about the status of the Lake County Comprehensive Plan. Mr. Boyd had it listed under his topic of long term to do items that he had started a couple weeks ago. Mr. Boyd said he and Mr. Radachy were looking at future action items for planning and realized all the township plans are hitting their five-to-seven-year threshold and then the

County Plan had to be done. He was sifting through it last week when he had a request for some demographic information and that was one of the chapters that was pretty well close to being done using 2000 data. We are still working on a 1960 master plan. It is time to start on the coastal plan update as well.

PUBLIC COMMENT

There was no public comment.

Mr. Schaedlich informed the Commission members that Elsie Seeman had died last week. She was a long-term past staff member for the Planning Commission who retired in 1996. The calling hours and funeral services will be held at the Mentor Methodist Church on Thursday, June 2, 2011.

ADJOURNMENT

Mr. Morse moved and Mr. Schaedlich seconded the motion to adjourn the May 31, 2011 Planning Commission meeting.

All voted "Aye".

The meeting adjourned at 6:33 p.m.